

**Individuals with Disabilities Education Act (IDEA)
Advisory Committee Minutes
March 2, 2005**

Interactive Video Network

IDEA Members Present: Dena Larson, Kim Shereck, Leroy Shereck, Jane Nelson, Dawn Olson, Virginia Steele, Garry Freier, Diann Aberle, Robbin Hendrickson, Deb Balsdon, Marj Bock, Jim Jacobson, Karla Hill, Pat Brenden, Bernie Rodel, Cathy Haarstad, Pat Groce.

IDEA Members Absent: Gwyn Marback, Carlotta McCleary, Jeanine Brown, Linda Hartman, Mike O'Brien.

DPI Staff/Guests: Jeanette Kolberg, Teresa Monicken, Cindy Wilcox.

Bob Rutten was not able to participate in the meeting so Jeanete served as the facilitator. Leroy and Kim experienced some technical difficulty at the Devils Lake site but eventually joined the meeting via phone. Leroy chaired the meeting in Linda Hartman's absence. Linda was attending a conference out of state. **December minutes were reviewed with a motion to approve by Diann Aberle, a second by Bernie Rodel, and approval by all committee members.** The agenda was reviewed with some adjustments made due to Bob's absence.

Report: State Improvement Grant (SIG)

Cindy Wilcox reviewed a progress report on State Improvement Grant (SIG) activities.

(Handout 1) Cindy noted that several projects in the grant have applied for continued funding through the Department's Discretionary Grant process. The current SIG ends on June 30, 2005. A new statewide Personnel Development Grant is being developed and the application will be submitted in May. Jeanette noted that the IDEA Executive Committee may be convened prior to submission of the grant for advice and input. The new grant will have a more specific focus on personnel development needs resulting from implementation of No Child Left Behind (NCLB), IDEA 04, and school improvement/building level focused monitoring. More detail about the grant application will be provided to the full Committee at the June meeting.

Report: Early Intervention Dispute Resolution

Teresa Monicken presented information on early intervention dispute resolution efforts and options for enhanced procedures to assist families and school districts. Increased use of IEP meeting facilitators prior to formal complaints being filed seems to be very beneficial. Team members provided with a neutral facilitator are successful in working through issues and coming to consensus. There is a national trend, supported by the Office of Special Education Programs (OSEP), to provide more assistance and facilitation at an earlier opportunity in order to restore team functioning. In the past, NDDPI has provided IEP meeting facilitators only when indicated in a corrective action resulting from a complaint investigation. The Department will need to develop a rubric to determine when an IEP meeting facilitator is assigned, along with a structure for determining financial responsibility for paying the facilitator. Committee members encouraged the Department to continue development of early intervention options such as use of IEP meeting facilitators. Teresa also mentioned some of the changes in the dispute resolution

procedures found in IDEA 04. More details and information will be provided to special education administrators and parents when the regulations are finalized. Several significant additions to IDEA 04 are that mediation will result in a legally binding agreement; and a resolution session is now required prior to due process. The resolution session provides an opportunity to define the issues and to have 30 days for attempts at resolution, prior to the

beginning of due process.

Report: Highly Qualified Special Education Teachers

Jeanette shared information regarding the requirements for highly qualified special education teachers as addressed in IDEA 04 and the No Child Left Behind (NCLB) Act. A detailed resource document has been developed by the Department and is now available on the website at: <http://www.dpi.state.nd.us/speced/index.shtm> Basically, any special education teacher who provides direct instruction in core academic subjects must meet the same requirements as any other teacher of that core academic subject. In addition, special educators are qualified to provide consultation in adapting curricula, modifications of instructional methods, using behavioral supports and interventions, or selecting appropriate accommodations. Special educators can also assist students with study skills or organizational skills, and reinforce instruction that the child has already received from a highly qualified teacher in a core academic subject.

Report: ND Annual Performance Report (APR)

Jeanette noted that the ND Annual Performance Report (APR) is due on March 31, 2005. The final report will be posted on the NDDPI website. A comprehensive review will be provided to Committee members at the June meeting. Also, Bob Rutten plans to present information on the APR at the spring Pathfinders (parent and training information center) Conference in late April.

Update

Jeanette reviewed a January 7, 2005 letter from OSEP indicating acceptance of North Dakota's assurance of procedures to ensure correction and remedy noncompliance of school districts identified through monitoring. (Handout 2)

Listing of Handouts

ND State Improvement Grant – Report to IDEA Committee, March 2, 2005

Letter from OSEP – January 7, 2005

Next Meeting – Bismarck

June 1, 2005 – IDEA Advisory Committee Meeting (full day)

June 2, 2005 – Joint IDEA/ICC Committee Meeting (morning)

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